

Application to object to the registration of a lasting power of attorney (LPA)

For office use only

Date received

Case no.

Date issued

Name of the donor of the LPA (this is the person who made the LPA)

SEAL

Please read first

- You can only object using this form if you are an intended attorney or a named person who received an LPA001 notice of intention to apply for registration of a lasting power of attorney.
- You may have to pay a fee when you make an application. Refer to the leaflet COP44 Court of Protection – Fees for details.
- An application to object must be made within three weeks from the day on which you received the LPA001 notice.
- If you are not one of the people who received the LPA001 notice but you wish to object, you can still do so but you need to file a COP1 application form and pay the specified fee. You need to notify the Public Guardian of your application. See note 1 at the end of this form for information on notifying the Public Guardian.
- An objection should be made to the Public Guardian (instead of the court) in the following circumstances:
 - if you are the donor, by using the form LPA006 objection by the donor to the registration of a lasting power of attorney;or
 - if you object on certain specified factual grounds, by using the form LPA007 objection to the Office of the Public Guardian of a proposed registration of a lasting power of attorney on factual grounds.
- You may need to pay for any costs you incur during the proceedings. If the court considers that you have acted unreasonably you can be ordered to pay the costs incurred by other parties.
- Please continue on a separate sheet of paper if you need more space to answer a question. Write your name, the name and date of birth of the person to whom the application relates, and the number of the question you are answering on each separate sheet.
- For assistance in completing the form please see guidance notes and website: www.gov.uk/court-of-protection
- Court of Protection staff cannot give legal advice. If you need legal advice please contact a solicitor.

Section 1 - Your details (the applicant)

1.1 Your details ☐ Mr. ☐ Mrs. ☐ Miss ☐ Ms. ☐ Other _____

First name

Middle name(s)

Last name

1.2 Address
(including
postcode)

Telephone no.

Daytime	<input type="text"/>
Evening	<input type="text"/>
Mobile	<input type="text"/>

E-mail address

1.3 Is a solicitor representing you?

☐ Yes

☐ No

If Yes, please give the solicitor's details.

Name

Address
(including
postcode)

Telephone no.

<input type="text"/>	Fax no.	<input type="text"/>
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DX no.

E-mail address

1.4 To which address should all official documentation be sent?

☐ Your address

☐ Solicitor's address

☐ Other address (please provide details)

1.5 Your description

☐ Attorney

☐ Other person entitled to be notified of the application to register the LPA

Section 2 - Objection to the registration of an LPA

2.1 Full name of the donor

☐ Mr. ☐ Mrs. ☐ Miss ☐ Ms. ☐ Other _____

First name

Middle name(s)

Last name

2.2 Full name of intended attorney(s)

☐ Mr. ☐ Mrs. ☐ Ms. ☐ Miss ☐ Other _____

First name

Last name

☐ Mr. ☐ Mrs. ☐ Ms. ☐ Miss ☐ Other _____

First name

Last name

2.3 Date donor signed the LPA

D	D	M	M	Y	Y	Y	Y
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2.4 Date you were given notice of the application to register the LPA

D	D	M	M	Y	Y	Y	Y
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2.5 You can only object to the court against the registration of the LPA on grounds which are prescribed in regulations under the Mental Capacity Act 2005.

Please indicate your grounds for objecting to the proposed registration:

- ☐ The power purported to be created by the instrument* is not valid as a LPA.
(e.g. the donor did not have capacity to make an LPA).
- ☐ The power created by the instrument no longer exists
(e.g. the donor revoked it at a time when he or she had capacity to do so)
- ☐ Fraud or undue pressure was used to induce the donor to make the power.
- ☐ The attorney proposes to behave in a way that would contravene his authority or would not be in the donor's best interests.

**The instrument means the LPA made by the donor.*

2.6 Any evidence in support of your application must be filed with this application form. If you are attaching any written evidence please use the COP24 witness statement form.

☐ Evidence attached

2.7 You must have notified the Public Guardian of your intention to apply to the court to object to the registration of the LPA. **(See note 1)**

☐ I confirm that I have notified the Public Guardian

Section 3 - Attending court hearings

3.1 If the court requires you to attend a hearing do you need any special assistance or facilities? **(See note 2)**

☐ Yes ☐ No

If Yes, please say what your requirements are. If necessary, court staff may contact you about your requirements.

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Section 4 – Statement of truth

The statement of truth is to be signed by you, your solicitor or your litigation friend.

*(I believe) (The applicant believes) that the facts stated in this application form are true.

Signed

*Applicant('s litigation friend)('s solicitor)

Name

Date

**Name
of firm**

**Position or
office held**

* Please delete the option in brackets that do not apply.

Now read note 3 about what you need to do next.

Guidance notes

Note 1

Notifying the Public Guardian

You need to notify the Public Guardian, using the LPA008 form, without delay of your application to object. Upon notification the Office of the Public Guardian will suspend the registration until the court provides further directions. If the Public Guardian is not notified there is a risk that the LPA will be registered.

You can get copies of Office of the Public Guardian forms by calling 0300 456 0300, by downloading them at www.justice.gov.uk/forms/opg or by writing to:

Office of the Public Guardian
PO BOX 16185
Birmingham B2 2WH

Note 2

Attending court hearings

If you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. It is important that you make the court aware of your needs to avoid causing any delays.

The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements should there be a hearing, such as wheelchair access, a hearing loop or a sign language interpreter.

Note 3

What you need to do next

The court requires two copies (i.e. the original plus one copy) of each form and document you file.

Please return the original completed form and copies to the Court of Protection, along with any fee. For details on where to send your application check the website: www.gov.uk/court-of-protection

Note 4

What happens next?

The court will notify you when your application form has been issued and will return a sealed copy of the application form. You will need to serve a copy on the donor and each attorney of the LPA.